

## ORDINANCE NO. 08-324

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 12.44 OF THE LOS ALTOS MUNICIPAL CODE PERTAINING TO DEFINITIONS AND PUBLIC NOTIFICATION OF HISTORIC PROJECTS

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** A portion of Section 12.44.020 of Article 1 of Chapter 12.44 of the Los Altos Municipal Code entitled "Definitions" is hereby replaced with the following:

"Historic resources inventory" means the city's official inventory of the historic resources, as adopted and amended from time to time by resolution of the historical commission. A property may be listed on the historic resources inventory without being designated pursuant to this chapter as a historic landmark or historic district. Properties listed on the historic resources inventory that are not designated as a historic landmark or historic district, are classified as follows:

1. "Landmark eligible" means that the property has a historic resources inventory rating of eighty-five to one hundred (85--100) points.
2. "Historically significant" means that the property has a historic resources inventory rating of sixty to eighty-four (60--84) points.
3. "Historically important" means that the property has a historic resources inventory rating of fifty to fifty-nine (50--59) points.
4. "Contributing" means that the property has a historic resources inventory rating of zero to forty-nine (0--49) points.

**SECTION 2. AMENDMENT OF CODE:** Article 3 of Chapter 12.44 of the Los Altos Municipal Code entitled "Permits" is hereby amended to be modified and include the following new section 12.44.130; and the remaining sections renumbered accordingly:

#### **12.44.110 Applications for permit or advisory review.**

Applications for permits or for advisory project review, on forms prescribed by the historical commission, shall be submitted to the planning director, who shall forward the application to the historical commission for review and comment. Applications shall include supporting data as set forth in Section 12.44.120, shall be noticed as set forth in Section 12.44.130 and shall be acted on as set forth in Section 12.44.140 of this chapter.

#### **12.44.130 Notice of Public Meetings**

A. Notification shall be provided whenever an application for a Historical Commission permit is required for Landmark or Landmark Eligible structures or properties. Applicants shall be responsible for providing notification via first-class mail to the adjoining property owners, in the manner set forth by the city planner, at least ten (10) days prior to the meeting at which the application is to be reviewed. The property owners who shall be mailed notice include, but are not limited to, the following:

1. The two adjoining property owners on each side;
2. The three adjoining rear property owners; and
3. The five adjoining front property owners across the street.
4. As deemed appropriate or necessary, the city planner may require that notification be mailed to a greater or lesser number of property owner(s) than are identified above based on the configuration of the properties adjoining the site of the application.

5. Notice shall also be posted on the project site near the front property line in accordance with the standards set by the city planner.

B. Notice shall be provided whenever an application for a Historical Commission advisory recommendation is required for Historically Important or Historically Significant structures or properties. Applicants shall be responsible for posting a notice on the project site near the front property line in accordance with the standards set by the city planner.

**12.44.140 Historical commission action.**

The historical commission shall complete its review and issue a recommendation to the planning director within forty-five (45) days after receipt of the application and all supporting data. All decisions shall be made at regular or noticed special meetings of the historical commission. The historical commission's recommendation shall be in writing and shall state the reasons relied upon in support thereof. Upon receipt of the historical commission's recommendations, the planning director shall forward a copy thereof to the applicant.

**SECTION 3. ENVIRONMENTAL ANALYSIS.** The amended regulations set forth herein have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and the guidelines promulgated thereunder, and Council finds that it can be seen with certainty that there are no significant environmental impacts on the environment resulting from these amendments and said amendments are therefore exempt from the requirements of the CEQA.

**SECTION 4. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 5. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on May 13, 2008 and was thereafter, at a regular meeting held on May 27, 2008 passed and adopted by the following vote:

Ayes: PACKARD, SATTERLEE, BECKER  
Noes: CARPENTER, CASAS  
Absent:

  
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Valorie Cook Carpenter, MAYOR

Attest:

  
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Susan Kitchens, CITY CLERK

Date: June 18, 2008